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C O N F I D E N T I A L SECTION 01 OF 02 CAIRO 002251

STPDIS

FOR NEA/ELA AND DRL/NESCA

E.O. 12958: DECL: 10/23/28

TAGS:  $\underline{PGOV}$   $\underline{PHUM}$   $\underline{KDEM}$   $\underline{KWMN}$   $\underline{SOCI}$   $\underline{EG}$ 

SUBJECT: A FIRST IN EGYPT: COURT SENTENCES SEXUAL ASSAULT

PERPETRATOR TO PRISON

Classified By: ECPO Mincouns William R. Stewart for reason 1.4 (d).

- 11. (C) Summary and comment: On October 21, for the first time in Egyptian history, a Cairo court heard a sexual assault case, and sentenced truck driver Sherif Gomaa Gibrial to three years in prison for groping 27-year-old female film director Noha Rushdie in June 2008. Rushdie told us that the police and State Security Investigative Services pressured her to drop the case before the court's decision. Women's rights NGOs welcomed the decision, predicting it will empower women and help with their current campaign to pass legislation specifically criminalizing sexual harassment and assault. Media coverage of the case has been intense and supportive of Rushdie. The court decision is a significant step in addressing the widespread problem of sexual assault and harassment in Egypt. It appears that while the ruling may empower upper-middle class women like Noha Rushdie, its effect on lower-income women is less clear. The question of whether three lower-class alleged victims in a separate attempted rape case will now come forward to testify will be a barometer of the Rushdie verdict's influence in the short-term. End summary and comment.
- 12. (C) The sexual assault occurred in June 2008, when Rushdie and a female friend, Hind Mahmoud, were trying to hail a taxi in the Heliopolis neighborhood of Cairo, and a passing driver stopped his truck to grope Rushdie's breasts through his open window. Rushdie told us privately that a male bystander subdued the perpetrator and dragged him from his car as her friend ran to a nearby police station to request assistance. Rushdie said the police refused to help and chided Mahmoud for the way she was dressed, suggesting that the women deserved the assault. Mahmoud then brought a private car to the scene, and with the help of the male bystander, the two women transported the perpetrator to a public prosecutor's office where they filed a complaint.
- ¶3. (C) Rushdie told us that after she appeared on a popular television talk show in mid-October to discuss her case, she received threatening phone calls from both the police and State Security Investigative Services (SSIS). Rushdie said police officers from the station where her original complaint was ignored asked her to stop pursuing her court case, and threatened to "ruin her reputation" otherwise. The police requested that she return to the station for questioning, but Rushdie told us she refused on her attorney's advice. Rushdie reported to us that SSIS officers also made a similar phone call asking her to abandon her court case. Rushdie told us October 22 that she is very pleased with the verdict, and noted that she had expected the court to delay issuing a decision. Rushdie said that the case depended heavily on testimony from her friend, Hind Mahmoud.
- 14. (C) Afaf Marei, director of the women's rights and political participation NGO "CPE," extolled the verdict to us October 22, predicting that it would lead to a much improved climate between men and women on the Egyptian street. Women

will feel more confident and secure, Marei opined, and men will be more restrained in their behavior. Marei told us that as a student in Cairo in the early 1980's, she and her female friends walked the streets freely, even late into the night; she hoped that the verdict could restore this atmosphere to the capital. Marei attributed the court's decision to an increased social awareness of the prevalent problems of sexual assault and harassment, and credited civil society with bringing these issues to the public's attention through intense media campaigns. Marei praised Noha Rushdie as a "hero" for her courage in aggressively pursuing the case, and commended Rushdie's father for supporting her. (Note: NGOs have described for us how male relatives often discourage women from pursuing sexual assault cases, and even physically punish their female relatives for being targeted, under the assumption that women are to blame for an attack. End note.)

15. (C) The Egyptian Center for Women Rights (ECWR) released a statement October 21 welcoming the court's decision and saying, "The sentence sends a message to all segments of Egyptian society that sexual harassment is a crime and will not be tolerated. Within the legal community, the court's decision restores confidence in Egyptian law's ability to appropriately address such crimes. The sentence will also encourage participation in the dialogue on developing a legal definition of sexual harrassment and the need to formulate laws criminalizing it in the Egyptian penal code." Earlier in October, Aboul Komson told us that ECWR is currently working on draft legislation to submit to parliament during the upcoming session that would provide specific statutory language criminalizing sexual harassment and assault, which

CAIRO 00002251 002 OF 002

can now only be prosecuted under laws prohibiting "moral corruption." Aboul Komson blamed the GOE for failing to address the prevalent problems of sexual assault and harassment. She opined that because the police focus on security for regime officials and political crimes such as terrorism, it has ignored crimes against women.

- 16. (U) Print media, television and radio devoted heavy coverage to the court decision October 22 and 23, with both independent and pro-government papers running supportive front-page coverage. A popular radio station ran programs covering the case during rush hour, with presenters admonishing men to stop harassing and assaulting women. Rushdie appeared on a popular television talk show program October 22 and received warm praise from presenters and callers. An October 23 column in independent "Al-Masry Al-Yom" newspaper criticized a small backlash of angry internet posts from young men blaming Rushdie for inviting the attack.
- 17. (U) The Rushdie verdict comes as the court system is currently processing a separate sexual assault case concerning two young men's alleged attempted rape of three women on a street in the Cairo neighborhood of Mohandiseen on October 2, in front of a crowd of approximately 100 boys and young men. On October 21, a Cairo court extended the men's detention for an additional 15 days. The three alleged victims have not come forward to testify in this case, and under current Egyptian law, the case cannot move forward without their testimony.
- 18. (C) Comment: The court decision is an important development in addressing the chronic social problem of sexual harassment and assault in Egypt, which by all accounts has grown significantly worse over the past 25 years. The decision validates and further empowers women's rights NGOs as they campaign to raise awareness of harassment and assault, and as they work to pass legislation specifically criminalizing these crimes. While upper-middle class women with supportive families like Noha Rushdie may feel a new sense of empowerment on the street and protection under the law, the ruling's effect on lower-income women is less clear.

The decision of the poorer women victims in the Mohandiseen attempted rape case (para 7) on whether to come forward will be a barometer of how extensively the Rushdie verdict has affected social attitudes in the short term. SCOBEY